

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

FILED

JAN 04 2019

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY Andrew Cole DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

MICHAEL ALLEN FOX,
CRUZ ARELLANO-ORTIZ,
MARTIN GARCIA-CHAIDEZ,
ASHLEY DAWN STEWART,
BUDDY JOE SMITH, and
WYLEMA WILSON,

Defendants.

No. _____

CR 19-004 F

Violations: 21 U.S.C. § 846
21 U.S.C. § 841(a)(1)
18 U.S.C. § 2
21 U.S.C. § 856(a)(1)
18 U.S.C. § 924(c)(1)(A)
18 U.S.C. § 922(g)(5)(A)
18 U.S.C. § 924(d)
21 U.S.C. § 853
28 U.S.C. § 2461(c)

INDICTMENT

The Federal Grand Jury charges:

COUNT 1

**(Conspiracy to Possess With Intent to Distribute
and to Distribute Methamphetamine)**

From in or about June 2018, the exact date being unknown to the Grand Jury,
and continuing thereafter through on or about December 12, 2018, in the Western District
of Oklahoma,

-----MICHAEL ALLEN FOX,
CRUZ ARELLANO-ORTIZ,
MARTIN GARCIA-CHAIDEZ,
ASHLEY DAWN STEWART,
BUDDY JOE SMITH, and
WYLEMA WILSON -----

knowingly and intentionally conspired, combined, and agreed with others, both known and
unknown to the Grand Jury, to interdependently possess with intent to distribute and to

distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

MANNER AND MEANS OF THE CONSPIRACY

The objects of the conspiracy were accomplished by the following means, among others:

1. During the period of the conspiracy, **MICHAEL ALLEN FOX, CRUZ ARELLANO-ORTIZ, MARTIN GARCIA-CHAIDEZ, ASHLEY DAWN STEWART, BUDDY JOE SMITH, WYLEMA WILSON**, and others maintained contact with each other and/or with other unnamed coconspirators using cellular telephones for oral and text message communications to arrange for the acquisition and distribution of drugs and to otherwise facilitate the conspiracy.

2. During the period of the conspiracy, **MICHAEL ALLEN FOX**, was supplied with approximately eight (8) ounces of methamphetamine every week from several sources and would arrange to meet couriers for those sources of supply, including **CRUZ ARELLANO-ORTIZ** and **MARTIN GARCIA-CHAIDEZ**, at various locations in the Western District of Oklahoma.

3. During the period of the conspiracy, methamphetamine was stored and maintained at various locations, including 2400 NW 21st Street, Oklahoma City, Oklahoma (the residence of **MICHAEL ALLEN FOX** and **ASHLEY DAWN STEWART**).

4. During the period of the conspiracy, **MICHAEL ALLEN FOX** and **ASHLEY DAWN STEWART** would deliver methamphetamine to other members of the conspiracy, including **BUDDY JOE SMITH** and **WYLEMA WILSON**, to facilitate distribution of methamphetamine to other customers.

The Grand Jury incorporates by reference all statements and allegations contained in Counts 2 through 8 inclusive, as though fully set forth herein.

All in violation of Title 21, United States Code, Section 846, the penalty for which is found at Title 21, United States Code, Section 841(b)(1)(A).

COUNT 2
(Distribution of Methamphetamine)

On or about September 10, 2018, in the Western District of Oklahoma,

----- **MICHAEL ALLEN FOX,**
ASHLEY DAWN STEWART,
BUDDY JOE SMITH, and
WYLEMA WILSON -----

knowingly and intentionally distributed 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), the penalty for which is found at Title 21, United States Code, Section 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT 3
(Distribution of Methamphetamine)

On or about October 31, 2018, in the Western District of Oklahoma,

----- **MICHAEL ALLEN FOX and**
WYLEMA WILSON -----

knowingly and intentionally distributed 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), the penalty for which is found at Title 21, United States Code, Section 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT 4
(Distribution of Methamphetamine)

On or about November 27, 2018, in the Western District of Oklahoma,

----- **MICHAEL ALLEN FOX,**
ASHLEY DAWN STEWART, and
WYLEMA WILSON -----

knowingly and intentionally distributed 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), the penalty for which is found at Title 21, United States Code, Section 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT 5

(Possession of Methamphetamine with Intent to Distribute)

On or about December 12, 2018, in the Western District of Oklahoma,

----- **CRUZ ARELLANO-ORTIZ and**
MARTIN GARCIA-CHAIDEZ -----

knowingly and intentionally possessed with intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1), the penalty for which is found at Title 21, United States Code, Section 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT 6

(Maintaining a Drug-Involved Premises)

From in or about October 2018, through on or about December 12, 2018, in the Western District of Oklahoma,

----- **MICHAEL ALLEN FOX and**
ASHLEY DAWN STEWART -----

knowingly and intentionally opened, leased, rented, used, and maintained a place at 2400 NW 21st Street, Oklahoma City, Oklahoma, for the purpose of using and distributing controlled substances, including methamphetamine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 856(a)(1).

COUNT 7

(Possession of a Firearm in Furtherance of a Drug-Trafficking Crime)

On or about December 12, 2018, in the Western District of Oklahoma,

----- **CRUZ ARELLANO-ORTIZ** -----

knowingly possessed a firearm, to wit: a Taurus, Millennium PT145 Pro, .45 caliber pistol, bearing serial number NFS27484, in furtherance of a drug-trafficking crime for which he may be prosecuted in a court of the United States, that is, possession of methamphetamine with intent to distribute, as charged in Count 5.

All in violation of Title 18, United States Code, Section 924(c)(1)(A), the penalty for which is found at Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT 8

(Alien in Possession of a Firearm)

On or about December 12, 2018, in the Western District of Oklahoma,

----- **CRUZ ARELLANO-ORTIZ** -----

an alien illegally and unlawfully in the United States, knowingly and unlawfully possessed a firearm, to wit: a Taurus, Millennium PT145 Pro, .45 caliber pistol, bearing serial number NFS27484, which was in and affecting interstate commerce in that the firearm had previously crossed state lines to reach the state of Oklahoma.

All in violation of Title 18, United States Code, Section 922(g)(5)(A), the penalty for which is found at Title 18, United States Code, Section 924(a)(2).

FORFEITURE

The allegations contained in this Indictment are hereby re-alleged and incorporated for the purpose of alleging forfeiture.

Upon conviction of any of the offenses set forth in Counts 1 or 5 of this Indictment, **CRUZ ARELLANO-ORTIZ** shall forfeit to the United States any property constituting or derived from, any proceeds obtained directly or indirectly, and any property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such offense(s).

Upon conviction of any of the offenses set forth in Counts 7 or 8 of this Indictment, **CRUZ ARELLANO-ORTIZ** shall forfeit to the United States any and all firearms and ammunition involved in the commission of the offense(s).

The property subject to forfeiture includes, but is not limited to:

1. a Taurus, Millennium PT145 Pro, .45 caliber pistol, bearing serial number NFS27484; and
2. Any and all magazines and ammunition not otherwise specified.

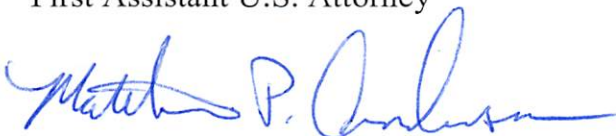
All pursuant to Title 18, United States Code, Section 924(d), Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461(c).

A TRUE BILL:



FOREPERSON OF THE GRAND JURY

ROBERT J. TROESTER
First Assistant U.S. Attorney



MATTHEW P. ANDERSON
Assistant U.S. Attorney